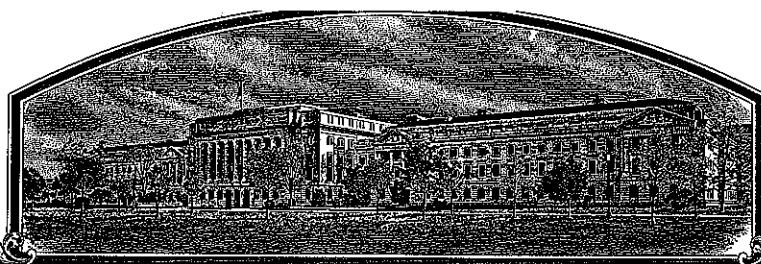


No.

200600123



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

*Monsanto Technology LLC*

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC SUPPLEMENTATION OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR PROPAGATING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE FOREGOING PURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

CORN, FIELD

'1090372'

*In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this twenty-fifth day of November, in the year two thousand and eight.*

*Attest:*

*[Signature]*

Commissioner  
Plant Variety Protection Office  
Agricultural Marketing Service

*[Signature]*

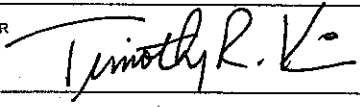
Secretary of Agriculture

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE  
(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF OWNER <b>Monsanto Technology L.L.C. LLC</b>		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME <b>None</b>		3. VARIETY NAME <b>1090372</b>	
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) <b>800 N. Lindbergh Blvd. Creve Coeur, MO 63167 U.S.A.</b>		5. TELEPHONE (include area code) <b>(815) 758-9281</b>		FOR OFFICIAL USE ONLY PVPO NUMBER <b>200600123</b> FILING DATE <b>March 1, 2006</b>	
		6. FAX (include area code) <b>(815) 758-3117</b>			
7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) <b>Corporation</b>		8. IF INCORPORATED, GIVE STATE OF INCORPORATION <b>Delaware</b>		9. DATE OF INCORPORATION <b>August 27, 1999</b>	
10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers)				FILING AND EXAMINATION FEES: \$ <b>4382.00</b> DATE <b>3/1/06</b> CERTIFICATION FEE: \$ <b>768.00</b> DATE <b>10/29/08</b>	
<b>Timothy R. Kain</b> 8350 Minnegan Road Waterman, IL 60556 U.S.A.  <b>Michael J. Roth</b> 800 N. Lindbergh Blvd. Creve Coeur, MO 63167 U.S.A.					
11. TELEPHONE (include area code) <b>(815) 758-9281</b>		12. FAX (include area code) <b>(815) 758-3117</b>		13. E-MAIL <b>trkain@monsanto.com</b>	
14. CROP KIND (Common Name) <b>Corn, Field</b>					
15. GENUS AND SPECIES NAME OF CROP <b>Zea mays</b>		16. FAMILY NAME (Botanical) <b>Graminae</b>		17. IS THE VARIETY A FIRST GENERATION HYBRID? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
18. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)		19. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? See Section 83(a) of the Plant Variety Protection Act			
a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety		<input type="checkbox"/> YES (If "yes", answer items 20 and 21 below) <input checked="" type="checkbox"/> NO (If "no", go to item 22)			
b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness		20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES? <input type="checkbox"/> YES <input type="checkbox"/> NO			
c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of Variety		IF YES, WHICH CLASSES? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED			
d. <input type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional)		21. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input type="checkbox"/> YES <input type="checkbox"/> NO			
e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership		IF YES, SPECIFY THE NUMBER 1,2,3, etc. FOR EACH CLASS.			
f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository)		<input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED			
g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$3,652), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)		(If additional explanation is necessary, please use the space indicated on the reverse.)			
22. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)		23. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, PLEASE GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)			
24. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate.					
The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.					
Owner(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.					
SIGNATURE OF OWNER 		SIGNATURE OF OWNER			
NAME (Please print or type) <b>Timothy R. Kain</b>		NAME (Please print or type)			
CAPACITY OR TITLE <b>Patent Scientist</b>		DATE <b>2/27/06</b>		CAPACITY OR TITLE <b>DATE</b>	

**GENERAL:** To be effectively filed with the Plant Variety Protection Office (PVPO), ALL of the following items must be received in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E; (3) for a seed reproduced variety at least 2,500 viable untreated seeds, for a hybrid variety at least 2,500 untreated seeds of each line necessary to reproduce the variety, or for tuber reproduced varieties verification that a viable (in the sense that it will reproduce an entire plant) tissue culture will be deposited and maintained in an approved public repository; (4) check drawn on a U.S. bank for \$3,652 (\$432 filing fee and \$3,220 examination fee), payable to "Treasurer of the United States" (See Section 97.6 of the Regulations and Rules of Practice.) Partial applications will be held in the PVPO for not more than 90 days, then returned to the applicant as unfilled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 401, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. **DO NOT** use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of \$432 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

**Plant Variety Protection Office**

**Telephone: (301) 504-5518**

**FAX: (301) 504-5291**

**Homepage: <http://www.ams.usda.gov/science/pvpo/pvp.htm>**

**ITEM**

- 18a. Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method;  
(2) the details of subsequent stages of selection and multiplication;  
(3) evidence of uniformity and stability; and  
(4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified
- 18b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:  
(1) identify these varieties and state all differences objectively;  
(2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences; and  
(3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 18c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 18d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 18e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
19. If "Yes" is specified (*seed of this variety be sold by variety name only, as a class of certified seed*), the applicant **MAY NOT** reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (See *Regulations and Rules of Practice, Section 97.103*).
22. See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.
23. See Section 55 of the Act for instructions on claiming the benefit of an earlier filing date.

**21. CONTINUED FROM FRONT** (Please provide a statement as to the limitation and sequence of generations that may be certified.)

**22. CONTINUED FROM FRONT** (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety (including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

Parent of a hybrid sold in the U.S. – April 2005

**23. CONTINUED FROM FRONT** (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)

U.S. Patent Application No. 11/093,728 – filed March 30, 2005 (1090372)

**NOTES:** It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. There is no charge for filing a change of address. The fee for filing a change of ownership or assignment or any modification of owner's name is specified in Section 97.175 of the regulations. (See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.)

To avoid conflict with other variety names in use, the applicant must check the appropriate recognized authority. For example, for agricultural and vegetable crops, contact: Seed Branch, AMS, USDA, Room 213, Building 306, Beltsville Agricultural Research Center--East, Beltsville, MD 20705. Telephone: (301) 504-8089. <http://www.ams.usda.gov/lsg/seed.htm>

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 3.0 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

ST-470 (02-10-2003) designed by the Plant Variety Protection Office with Word 2000. Replaces former versions of ST-470, which are obsolete.

**EXHIBIT A**  
**(revised)**Origin and Breeding History  
I090372

I090372 was selected for its YLD:MST (Yield-to-Moisture) ratio, improved root and stalk strength, improved grain quality, short plant stature, and general combining ability. Selections for ear uniformity and consistency were made under high plant populations which put significant selection pressure on the line to silk, shed pollen, and set seed under stressful conditions.

Summer 1996	The inbred line 87DIA4 (a proprietary DEKALB Genetics Corporation inbred) was crossed to the inbred line 90DJD28 (a proprietary DEKALB Genetics Corporation inbred) in the Owatonna, Minnesota nursery rows 96N: 5727 and 96N: 5730.
Winter 1996-97	The S0 seed was grown and self-pollinated in nursery row 97MX: 90.
Summer 1997	S1 seed was grown and self-pollinated in Owatonna, Minnesota nursery rows 97N:681-720. 41 S2 ears were kept.
Summer 1998	S2 ears were grown ear-to-row and self-pollinated. Three ears were selected in nursery row 98S2: 3677.
Winter 1998-1999	S3 ears were grown ear-to-row and self-pollinated. Three ears were selected in nursery row 99X: 1291.
Summer 1999	S4 ears were grown ear-to-row and self-pollinated. Three ears were selected in nursery row ADV1:9176. Line was named I090372.
Summer 2000	S5 ears were grown ear-to-row and self-pollinated. Two ears from nursery row YT2:40569 were selected.
Winter 2000-01	S6 ears were grown ear-to-row and self-pollinated. Five ears from nursery row LS1 H 000065 were selected.
Summer 2001	S7 ears were grown ear-to-row and self-pollinated. Three ears were selected from row 01ATI: 050967.
Winter 2001-02	S8 ears were grown ear-to-row and self-pollinated. 10 ears were selected from nursery row MP2PR 021163.
Summer 2002	S9 ears were grown ear-to-row and self-pollinated. Final selection was completed in nursery rows 30829 to 30857. This selection consisted of bulking S10 ears.

Statement of Stability and Uniformity

Corn inbred I090372 was coded in 1999 with final selection made in 2002. This inbred has been reproduced by self pollination for two generations and judged to be stable. Inbred I090372 is uniform for all traits observed.

Statement of Variants

I090372 shows no variants other than what would normally be expected due to environment or that would occur for almost any character during the course of repeated sexual reproduction.

## EXHIBIT B

## Statement of Distinctness

Monsanto Technology LLC believes that I090372 is most similar to corn inbred 87DIA4, an inbred developed by DEKALB Genetics Corporation.

I090372 and 87DIA4 differ most significantly in the following traits:

Trait	I090372	87DIA4
Husk Opening*	Tight (8)	Loose (2)

\* - based on a scale of 1-9; 1 = very loose, 9 = very tight

2002

Variety	Leaf Angle (degrees)	Shank Length (cm)
I090372	22.3 (Std Dev = 3.2, N= 10)	8.6 (Std Dev = 1.3, N= 10)
87DIA4	35.6 (Std Dev = 1.6, N= 10)	18.4 (Std Dev = 2.8, N= 10)
P_Val	0.000	0.000
Signif.	**	**

2003

Variety	Leaf Angle (degrees)	Shank Length (cm)
I090372	24.6 (Std Dev = 3.6, N=10)	6.2 (Std Dev = 1.8, N= 10)
87DIA4	41.6 Std Dev = 3.7 , N=10)	15.8 (Std Dev = 3.9, N= 10)
P_Val	0.000	0.000
Signif.	**	**

Significance levels are indicated as: + = 10%, \* = 5 %, \*\* = 1%

Corn variety I090372 has a tight ear husk, a narrower leaf angle and a shorter ear shank while comparative corn variety 87DIA4 has a loose ear husk, a wider leaf angle and a longer ear shank.

**EXHIBIT B**  
**(revised)**

Description of Experimental Design

The corn varieties I090372, 87DIA4 and CM105 were grown at the Waterman, IL observation nursery in years 2002-2003. The varieties were planted in 2 row plots with 15 plants per row in each of the three years. Trait data were collected on 10 random representative plants for most traits from each 2 row plot. Data on qualitative traits are usually collected on 10 plants from each 2 row plot. For Exhibit C all data were pooled and reported as means across the years for subject variety and the standard variety with standard deviation. The varieties are randomly planted in a 4.5 acre observation nursery which is located within a larger 18 acre field. Besides the observation nursery, this field consists of a research seed increase nursery and an IP seed inventory nursery. The location of each of these individual nurseries is rotated each year to a different location within the 18 acre field. Therefore subject inbreds are not planted adjacent to comparative or standard varieties and may be located in different areas of the larger field each year, therefore being influenced by spacial differences within the field. Growing conditions within the field are not uniform as there are some slight topographical variations such as lower areas which may accumulate and retain water or higher areas which are usually drier. The field is tiled and therefore a variety maybe planted close to a tile line while a comparative variety maybe planted further away and in a low spot within the field. Temporal varieties can exist as weather conditions from year to year can vary as well as planting dates can vary from year to year based on weather conditions. Weather conditions each year can vary the maturity rate of the varieties due to either favorable or unfavorable growing conditions.

Trait variability is not observed for each variety within its own test plot-plants are usually uniform and data are collected on the "most" representative plants- variability occurs due to spacial location of the test plot for that variety from year to year and to the temporal variation of weather conditions from year to year during the 2-3 years data are collected.

Waterman Research Station  
Weather Data 2002-2003

Date	Average Precip. (mm)	Ave. Monthly Temp – Max. (F°)	Ave. Monthly Temp-Min (F°)	Ave. Monthly Rel. Humid.- Max (%)	Ave. Monthly Rel. Humid – Min (%)
June 2002	5.3	81.3	60.4	90.7	47.7
July 2002	1.5	87.0	64.9	93.2	48.3
August 2002	5.7	83.1	61.0	96.0	51.8
Sept. 2002	1.5	79.4	52.6	95.0	42.7
June 2003	2.0	75.7	55.7	-	-
July 2003	6.4	82.2	62.2	-	-
August 2003	2.6	83.5	63.5	-	-
Sept 2003	2.6	72.9	52.9	-	-

### OBJECTIVE DESCRIPTION OF VARIETY

6

Application Variety Data			Page 2		Standard Inbred Data		
5. LEAF:			Standard Deviation	Sample Size	Mean	Standard Deviation	Sample Size
0 8 . 5	cm Width of Ear Node Leaf		0.7	30	0 0 7. 2	0.8	20
6 5. 8	cm Length of Ear Node Leaf		3.9	30	0 6 0. 6	3.2	20
6 . 4	Number of leaves above top ear		0.5	30	5. 8	0.6	20
2 3. 0	degrees Leaf Angle (measure from 2nd leaf above ear at anthesis to stalk above leaf)		3.7	30	4 7. 8	7.9	20
0 3	Leaf Color (Munsell code 5 GY 3/4)				0 2 (Munsell code 5 GY 4/8)		
5	Leaf Sheath Pubescence (Rate on scale from 1=none to 9=like peach fuzz)				1		
6	Marginal Waves (Rate on scale from 1=none to 9=many)				6		
5	Longitudinal Creases (Rate on scale from 1=none to 9=many)				5		
6. TASSEL:			Standard Deviation	Sample Size	Mean	Standard Deviation	Sample Size
0 6. 3	Number of Primary Lateral Branches		1.9	30	5. 4	1.4	20
2 5. 0	Branch Angle from Central Spike		7.1	30	3 2. 0	6.3	20
3 3. 7	cm Tassel Length (from top leaf collar to tassel tip)		3.6	30	3 3. 2	3.9	20
4.6	Pollen Shed (Rate on scale from 0=male sterile to 9=heavy shed)				4. 3		
1 1	Anther Color (Munsell code 5 R 7/6)				0 7 (Munsell code 2.5 Y 8/10)		
1 6	Glume Color (Munsell code 5 RP 5/6)				1 2 (Munsell code 2.5 R 5/8)		
1	Bar Glumes (Glume Bands): 1=Absent 2=Present				1		
7a. EAR (Unhusked Data):							
1 1	Silk Color (3 days after emergence) (Munsell code 5 R 6/6)				0 7 (Munsell code 2.5 Y 8/10)		
0 2	Fresh Husk Color (25 days after 50% silking) (Munsell code 5 GY 4/8)				0 2 (Munsell code 5 GY 4/8)		
2 1	Dry Husk Color (65 days after 50% Silking) (Munsell code 2.5 Y 8/4)				2 1 (Munsell code 2.5 Y 8/4)		
1	Position of Ear at Dry Husk Stage: 1=Upright 2=Horizontal 3=Pendent				1		
8	Husk Tightness (Rate on scale from 1=very loose to 9=very tight)				9		
2	Husk Extension (at harvest): 1=Short (ears exposed) 2=Medium (<8 cm) 3=Long (8-10 cm beyond ear tip) 4=Very Long (>10 cm)				2		
7b. EAR (Husked Ear Data):			Standard Deviation	Sample Size	Mean	Standard Deviation	Sample Size
1 5. 3	cm Ear Length		1.7	30	1 4. 4	1.8	20
3 4. 0	mm Ear Diameter at mid-point		1.3	30	3 7. 8	1.5	20
9 9. 7	gm Ear Weight		9.2	30	8 7. 5	7.2	20
1 3. 6	Number of Kernel Rows		1.1	30	1 3. 6	0.8	20
2	Kernel Rows: 1=Indistinct 2=Distinct				2		
1	Row Alignment: 1=Straight 2=Slightly Curved 3=Spiral				1		
0 7. 5	cm Shank Length		1.5	30	0 5. 8	1.4	15
2	Ear Taper: 1=Slight 2=Average 3=Extreme				2		
Application Variety Data					Standard Inbred Data		
Note: Use chart on first page to choose color codes for color traits.							



Application Variety Data			Page 3		Standard Inbred Data		
8. KERNEL (Dried):			Standard Deviation	Sample Size	Mean	Standard Deviation	Sample Size
0 9 .2	mm Kernel Length		1.1	30	0 9 .0	1.2	15
0 6 .6	mm Kernel Width		0.5	30	0 8 .3	0.7	15
3 .8	mm Kernel Thickness		0.4	30	0 5 .5	1.4	15
2 6 .4	% Round Kernels (Shape Grade)		4.9	500g	4 2 .1	3.1	500 g
1	Aleurone Color Pattern: 1=Homozygous 2=Segregating (describe) _____				1		
1 9	Aleurone Color (Munsell code Lighter than 5 Y 9/1)				1 9	(Munsell code Lighter than 2.5 Y 9/2)	
0 7	Hard Endosperm Color (Munsell code 2.5 Y 8/10)				0 7	(Munsell code 2.5 Y 8/10)	
3	Endosperm Type: 1=Sweet (su1) 2=Extra Sweet (sh2) 3=Normal Starch 4=High Amylose Starch 5=Waxy Starch 6=High Protein 7=High Lysine 8=Super Sweet (se) 9=High Oil 10=Other _____				0 3		
2 7 .9	gm Weight per 100 Kernels (unsized sample)		3.1	1200 seeds	2 2 .8	3.6	1000 seeds
9. COB:			Standard Deviation	Sample Size	Mean	Standard Deviation	Sample Size
2 2 .6	mm Cob Diameter at mid-point		1.7	30	2 5 .9	1.5	15
1 4	Cob Color (Munsell code 5 R 3/8)				1 4	(Munsell code 5 R 3/8)	
10. DISEASE RESISTANCE (Rate from 1 (most susceptible) to 9 (most resistant); leave blank if not tested; leave Race or Strain Options blank if polygenic):							
A. Leaf Blights, Wilts, and Local Infection Diseases							
6	Anthracnose Leaf Blight ( <i>Colletotrichum graminicola</i> )		7 Anthracnose Leaf Blight				
5	Common Rust ( <i>Puccinia sorghi</i> )		Common Rust				
Common Smut ( <i>Ustilago maydis</i> )			6 Common Smut				
6	Eyespot ( <i>Kabatiella zeae</i> )		5 Eyespot				
7	Goss's Wilt ( <i>Clavibacter michiganense</i> spp. <i>nebraskense</i> )		4 Goss's Wilt				
4	Gray Leaf Spot ( <i>Cercospora zeae-maydis</i> )		Gray Leaf Spot				
6	Helminthosporium Leaf Spot ( <i>Bipolaris zeicola</i> )		Race 2	8 Helminthosporium Leaf Spot Race 2			
7	Northern Leaf Blight ( <i>Exserohilum turcicum</i> )		Race 1	3 Northern Leaf Blight Race 1			
6	Southern Leaf Blight ( <i>Bipolaris maydis</i> )		Race O	6 Southern Leaf Blight Race O			
Southern Rust ( <i>Puccinia polysora</i> )				Southern Rust			
6	Stewart's Wilt ( <i>Erwinia stewartii</i> )			4 Stewart's Wilt			
Other (Specify) _____				Other (Specify) _____			
B. Systemic Diseases							
_____	Corn Lethal Necrosis (MCMV and MDMV)		_____ Corn Lethal Necrosis				
_____	Head Smut ( <i>Sphacelotheca reiliana</i> )		_____ Head Smut				
_____	Maize Chlorotic Dwarf Virus (MCDV)		_____ Maize Chlorotic Dwarf Virus				
_____	Maize Chlorotic Mottle Virus (MCMV)		_____ Maize Chlorotic Mottle Virus				
_____	Maize Dwarf Mosaic Virus (MDMV)		Strain _____	_____ Maize Dwarf Mosaic Virus Strain _____			
_____	Sorghum Downy Mildew of Corn ( <i>Peronosclerospora sorghi</i> )		_____ Sorghum Downy Mildew of Corn				
_____	Other (Specify) _____		_____ Other (Specify) _____				
C. Stalk Rots							
_____	Anthracnose Stalk Rot ( <i>Colletotrichum graminicola</i> )		_____ Anthracnose Stalk Rot				
_____	Diplodia Stalk Rot ( <i>Stenocarpella maydis</i> )		_____ Diplodia Stalk Rot				
_____	Fusarium Stalk Rot ( <i>Fusarium moniliforme</i> )		_____ Fusarium Stalk Rot				
_____	Gibberella Stalk Rot ( <i>Gibberella zeae</i> )		_____ Gibberella Stalk Rot				
_____	Other (Specify) _____		_____ Other (Specify) _____				
D. Ear and Kernel Rots							
_____	Aspergillus Ear and Kernel Rot ( <i>Aspergillus flavus</i> )		_____ Aspergillus Ear & Kernel Rot				
_____	Diplodia Ear Rot ( <i>Stenocarpella maydis</i> )		_____ Diplodia Ear Rot				
_____	Fusarium Ear and Kernel Rot ( <i>Fusarium moniliforme</i> )		_____ Fusarium Ear & Kernel Rot				
_____	Gibberella Ear Rot ( <i>Gibberella zeae</i> )		_____ Gibberella Ear Rot				
_____	Other (Specify) _____		_____ Other (Specify) _____				
Application Variety Data			Standard Inbred Data				

Note: Use chart on first page to choose color codes for color traits.

Application Variety Data	Page 4	Standard Inbred Data																																																																																																																																					
<b>11. INSECT RESISTANCE</b> (Rate from 1 (most susceptible) to 9 (most resistant); leave blank if not tested): <table style="width: 100%; border: none;"> <tr> <th style="width: 40%;"></th> <th style="width: 20%;">Standard Deviation</th> <th style="width: 20%;">Sample Size</th> </tr> <tr> <td><input type="checkbox"/> Banks Grass Mite (<i>Oligonychus pratensis</i>)</td> <td></td> <td></td> </tr> <tr> <td><b>Corn Earworm (<i>Helicoverpa zea</i>)</b></td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Leaf-Feeding</td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Silk Feeding : _____ mg larval wt.</td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Ear Damage</td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Corn Leaf Aphid (<i>Rhopalosiphum maidis</i>)</td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Corn Sap Beetle (<i>Carpophilus dimidiatus</i>)</td> <td></td> <td></td> </tr> <tr> <td><b>European Corn Borer (<i>Ostrinia nubilalis</i>)</b></td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> 1st Generation (Typically Whorl Leaf Feeding)</td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> 2nd Generation (Typically Leaf Sheath-Collar Feeding)</td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Stalk Tunneling : _____ cm tunneled/plant</td> <td></td> <td></td> </tr> <tr> <td><b>Fall Armyworm (<i>Spodoptera frugiperda</i>)</b></td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Leaf-Feeding</td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Silk-Feeding : _____ mg larval wt.</td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Maize Weevil (<i>Sitophilus zeamais</i>)</td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Northern Rootworm (<i>Diabrotica barberi</i>)</td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Southern Rootworm (<i>Diabrotica undecimpunctata</i>)</td> <td></td> <td></td> </tr> <tr> <td><b>Southwestern Corn Borer (<i>Diatraea grandiosella</i>)</b></td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Leaf Feeding</td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Stalk Tunneling : _____ cm tunneled/plant</td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Two-spotted Spider Mite (<i>Tetranychus urticae</i>)</td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Western Rootworm (<i>Diabrotica virgifera virgifera</i>)</td> <td></td> <td></td> </tr> <tr> <td><input type="checkbox"/> Other (Specify) _____</td> <td></td> <td></td> </tr> </table>			Standard Deviation	Sample Size	<input type="checkbox"/> Banks Grass Mite ( <i>Oligonychus pratensis</i> )			<b>Corn Earworm (<i>Helicoverpa zea</i>)</b>			<input type="checkbox"/> Leaf-Feeding			<input type="checkbox"/> Silk Feeding : _____ mg larval wt.			<input type="checkbox"/> Ear Damage			<input type="checkbox"/> Corn Leaf Aphid ( <i>Rhopalosiphum maidis</i> )			<input type="checkbox"/> Corn Sap Beetle ( <i>Carpophilus dimidiatus</i> )			<b>European Corn Borer (<i>Ostrinia nubilalis</i>)</b>			<input type="checkbox"/> 1st Generation (Typically Whorl Leaf Feeding)			<input type="checkbox"/> 2nd Generation (Typically Leaf Sheath-Collar Feeding)			<input type="checkbox"/> Stalk Tunneling : _____ cm tunneled/plant			<b>Fall Armyworm (<i>Spodoptera frugiperda</i>)</b>			<input type="checkbox"/> Leaf-Feeding			<input type="checkbox"/> Silk-Feeding : _____ mg larval wt.			<input type="checkbox"/> Maize Weevil ( <i>Sitophilus zeamais</i> )			<input type="checkbox"/> Northern Rootworm ( <i>Diabrotica barberi</i> )			<input type="checkbox"/> Southern Rootworm ( <i>Diabrotica undecimpunctata</i> )			<b>Southwestern Corn Borer (<i>Diatraea grandiosella</i>)</b>			<input type="checkbox"/> Leaf Feeding			<input type="checkbox"/> Stalk Tunneling : _____ cm tunneled/plant			<input type="checkbox"/> Two-spotted Spider Mite ( <i>Tetranychus urticae</i> )			<input type="checkbox"/> Western Rootworm ( <i>Diabrotica virgifera virgifera</i> )			<input type="checkbox"/> Other (Specify) _____			<table style="width: 100%; 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<b>COMMENTS</b> (e.g. state how heat units were calculated, standard inbred seed source, and/or where data was collected. Continue in Exhibit D):  <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <b>Heat Unit Calculation:</b> <math>GDU = \frac{\text{Daily Max Temp } (&lt;=86^{\circ}\text{F}) + \text{Daily Min Temp } (&gt;=50^{\circ}\text{F})}{2} - 50^{\circ}\text{F}</math> </div> Supplemental data obtained from 2005 seed inventory and production parent test.																																																																																																																																							

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE**EXHIBIT E**  
**STATEMENT OF THE BASIS OF OWNERSHIP**

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). The information is held confidential until the certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S)

Monsanto Technology ~~L.L.C.~~ **LLC**2. TEMPORARY DESIGNATION  
OR EXPERIMENTAL NUMBER

3. VARIETY NAME

1090372

4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country)

800 N. Lindbergh Blvd.  
Creve Couer, MO 63167  
U.S.A.

5. TELEPHONE (include area code)

(815) 758-9281

6. FAX (include area code)

(815) 758-3117

7. PVPO NUMBER

200600123

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block. If no, please explain.

☒ YES☐ NO

9. Is the applicant (individual or company) a U.S. national or a U.S. based company? If no, give name of country.

☒ YES☐ NO

10. Is the applicant the original owner?

☒ YES☐ NOIf no, please answer one of the following:

a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. National(s)?

☐ YES☐ NO

If no, give name of country

b. If the original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company?

☐ YES☐ NO

If no, give name of country

11. Additional explanation on ownership (Trace ownership from original breeder to current owner. Use the reverse for extra space if needed):

Corn Variety 1090372 was originated and developed by a breeder employed by Monsanto Technology ~~L.L.C.~~ **LLC**. By agreement between Monsanto Technology ~~L.L.C.~~ **LLC** and the breeder, all rights to any invention, discovery or development are assigned to Monsanto Technology ~~L.L.C.~~ **LLC**. No rights to such invention, discovery or development are retained by the breeder.

**PLEASE NOTE:**

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 0.1 hour per response, including the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

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U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE AND TECHNOLOGY  
PLANT VARIETY PROTECTION OFFICE  
BELTSVILLE, MD 20705

EXHIBIT F  
DECLARATION REGARDING DEPOSIT

NAME OF OWNER (S)  Timothy R. Kain	ADDRESS (Street and No. or RD No., City, State, and Zip Code and Country)  8350 Minnegan Road Waterman, IL 60556 U.S.A.	TEMPORARY OR EXPERIMENTAL DESIGNATION  VARIETY NAME I090372
NAME OF OWNER REPRESENTATIVE (S)  Monsanto Technology LLC	ADDRESS (Street and No. or RD No., City, State, and Zip Code and Country)  8350 Minnegan Road Waterman, IL 60556 U.S.A.	FOR OFFICIAL USE ONLY  PVPO NUMBER 200600123

I do hereby declare that during the life of the certificate a viable sample of propagating material of the subject variety will be deposited, and replenished as needed periodically, in a public repository in the United States in accordance with the regulations established by the Plant Variety Protection Office.

Timothy R. Kain  
Signature

28 FEB 2008  
Date